



COLUMBIA LAW SCHOOL

European Legal Studies Center

Primacy: three (not so) unshakable certainties about a foundational principle of EU Law

Amedeo Arena

Associate Professor of Law
University of Naples "Federico II"



Amedeo Arena is Associate Professor of European Union Law at the University of Naples "Federico II". He holds LLM degrees from King's College London and New York University and a JSD from the University of Naples "Federico II". He was Visiting Professor or Fellow at, among others, the University of Amsterdam, University College London, the University of Denver, and the University of Tokyo. He served as rapporteur to the Supreme Court of Korea on the topic of dialogue between courts. He was awarded the Fulbright Scholarship, the Langley Fellowship, the STAR Research Grant, and the SIDI Writing Award by the Italian Society of International Law.

Although the primacy of the law of the European Union over that of its Member States has long been a debated topic, most scholars agree on at least three issues: i) that this principle was first introduced by the European Court of Justice in *Costa v. ENEL* (1964), ii) that primacy is an absolute principle, i.e. one that admits no exceptions; iii) that primacy is feature unique to EU law, distinguishing it from the law of other international organizations.

This talk seeks to examine the on-going validity of those statements on the basis of insights from previously undisclosed materials from the EU Historical Archives in Florence, an assessment of the latest rulings by the ECJ and Member States' highest courts, and comparative research involving other international organizations such as the Andean Community, SICA, OHADA, UEMOA, and CEMAC.

Wed., Nov. 8 12:15 – 1:10 pm WJW 103